

## **DISCIPLINARY PROCEDURE**

**This procedure should be read in conjunction with the Contract of Enrolment, the Education (Pastoral Care of International Students) Code of Practice 2021 and the Education and Training Act 2020.**

The International Student Department developed this procedure to ensure that:

- Students are treated fairly, consistently and have an opportunity to provide a response.
- Investigations are carried out in line with the requirements of the Code of practice.

### **Overview:**

- Except in serious situations where immediate termination of the agreement is necessary, or where the breach does not call for any formal response other than a warning, Elim Christian College will try, where appropriate, to follow a two-stage disciplinary process.
- In Stage One, Elim Christian College will investigate and decide the facts, and will reach a conclusion on what happened and whether it amounts to a breach of the Agreement.
- In Stage Two, if Elim Christian College has determined that a breach has occurred, Elim Christian College will consider the appropriate response to that breach, up to and including termination of the Agreement.
- The student will have an opportunity to provide a response to the alleged breach being investigated (the Allegation) and any proposed disciplinary action that Elim Christian College is considering taking (the Proposed Action).
- This procedure does not limit Elim Christian College's power to take appropriate disciplinary action urgently and without following this process if this is necessary having regard to the seriousness of the breach.
- This procedure does not limit Elim Christian College's power to suspend the student for the duration of the disciplinary process where suspension is considered necessary for the safety or education of any person.
- Elim Christian College will notify Immigration New Zealand of any termination of enrolment.

### **Guidelines:**

When Elim Christian College is conducting a disciplinary process involving the students it will aim to provide the student with the following:

- A written summary of the Allegation.
- An opportunity to respond to the Allegation, either in person or in writing or both, at the choice of the student;
- An opportunity to consider the Allegation for a reasonable period of time (keeping in mind the seriousness of the Allegation) before giving a response;
- An opportunity to contact his/her Parent before giving a response, unless the delay caused by contacting that person is unreasonable keeping in mind the seriousness of the Allegation or proposed Action;
- An opportunity to have an independent support person of his/her choice present at any meeting relating to the disciplinary process;
- An opportunity to meet with that support person in private at any stage during the disciplinary process;
- An opportunity to have a translator present (or otherwise enable the student to participate in the process in his/her own language) during any meeting or process if Elim Christian College or the student considers that a language barrier means that a translator is required; and a copy of this procedure setting out the rights which the student has when engaging in the disciplinary process.